

Message

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Sent: 10/7/2011 1:15:50 PM
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Subject: NEWS UPDATES: EPA, Key Adviser Oppose House Bid To Halt Chemical Risk Assessments (Inside EPA)

EPA, Key Adviser Oppose House Bid To Halt Chemical Risk Assessments

Posted: October 6, 2011

Backed by a key scientist, EPA's research chief Paul Anastas is resisting language House lawmakers have included in the agency's pending spending bill that would halt the release of major chemical risk assessments until the National Academy of Sciences (NAS) has had a chance to review them and has backed recently announced program reforms.

At a House subcommittee hearing Oct. 6 to review EPA's Integrated Risk Information System (IRIS) program, Anastas drew strong support from Thomas Burke, an associate dean of The Johns Hopkins Bloomberg School of Public Health who also chaired a 2009 NAS panel that issued recommendations on ways to improve EPA risk assessments, with both men providing separate arguments to why the assessments shouldn't be delayed until the program is reformed.

A subsequent 2011 NAS panel that faulted EPA's draft assessment of formaldehyde reiterated some of the recommendations contained in the 2009 panel report, that Burke chaired. Many industry groups and GOP lawmakers are touting the formaldehyde report – and urging EPA to delay issuing new risk assessments until it has adopted the panel's suggestions.

To pressure the agency to adopt the NAS recommendations, House Republicans have also included language in EPA's fiscal year 2012 spending bill that would require the agency to implement the recommendations, have the NAS review any changes EPA makes to the IRIS program and have the NAS review several pending and future risk assessments, including the controversial assessment of arsenic. The House began considering the bill before the summer recess but lawmakers are scheduled to resume consideration later this year.

Sens. James Inhofe (R-OK) and David Vitter (R-LA) have also called on EPA Administrator Lisa Jackson to “suspend” issuance of controversial assessments until the reforms have been implemented and subjected to NAS review.

But at the Oct. 6 hearing of the House Energy and Commerce's energy and environment subcommittee to examine what subcommittee Chairman John Shimkus (R-IL) said is the "underlying bias present in the program and the impact of science manipulation on jobs and the economy" Anastas and Burke pushed back against efforts to halt the assessments until the NAS recommendations are adopted.

In written testimony at the hearing, Anastas, assistant administrator of EPA's Office of Research and Development, reiterated that the agency is making changes to the program, but noted that NAS was clear that the program should continue to issue risk assessments despite the needed improvements.

"It is important to note that the NAS report viewed the implementation of their recommendations as a multi-year process," he said. "For example, the NAS stated 'it is not recommending that EPA delay the revision of the formaldehyde assessment to implement a new approach.'"

Burke went even further, warning that language in the bill delaying the program would cause problems for public health programs that depend on the assessments to set standards to protect human health. "I think it would be a disservice to public health agencies throughout the country and even around the world" if we brought the IRIS program to a halt, Burke said in response to a question from Rep. Gene Greene (D-TX), the subcommittee's ranking Democrat.

Burke also clarified remarks he made last summer, first reported by *Inside EPA*, that EPA's IRIS program is in "crisis" and is in need of reform the program. At a June 30 meeting on the agency's new chemical safety research program, Burke warned EPA officials and other scientific advisers that "the sleeping giant is that EPA science is on the rocks . . . if you fail, you become irrelevant, and that is kind of a crisis."

"You can't fail this time," Burke said.

In response to questions from Greene, Burke said that, "Obviously there is a lot of criticism and the credibility of science is really important," Burke continued. "So why is EPA in crisis? Because of the incessant attacks on their credibility."

"We owe it to the American public, we owe it to the scientific community" to have risk assessments based in sound science, Burke told the committee. "It would be better to do it right than destroy the credibility of the process."

Focus On IRIS

The hearing was held to gather input on the IRIS program and its effects on regulations. IRIS has come under fire recently from industry and Republicans who argue that the assessments are overly conservative and not based in sound science, and who are pointing to the NAS' criticism of the program in chapter 7 of its review of the formaldehyde risk assessment as further need for improvement.

In the wake of such concerns, the agency in early July unveiled a series of reforms designed to strengthen the program and respond to the NAS concerns, including the development of a standing IRIS Advisory Committee at the Science Advisory Board (SAB) to address thorny scientific questions and review risk assessments that have provoked controversy among industry and other critics who fear they are too conservative.

EPA also announced a series of additional plans to clarify the information presented in IRIS assessments, provide better rationale for which studies EPA relies on in its assessments, streamline the documents and increase transparency, but industry groups viewed these plans as falling short of the necessary revision of a program they have long disliked.

EPA is moving forward with a host of IRIS assessments and has recently released several assessments, including one for trichloroethylene (TCE) -- a common groundwater contaminant -- and continues to defend the science behind the documents.

When Anastas issued the TCE assessment, he strongly touted the public health benefits of the program, saying the TCE assessment "underscores the importance of EPA's science and, in particular, the critical value of the IRIS database for ensuring that government officials and the American people have the information they need to protect their health and the health of their children."

But the agency has so far issued only one assessment -- for acrylonitrile -- that Inhofe and Vitter have urged EPA to "suspend," leaving the agency with a series of major tests on upcoming future assessments, including one for hexavalent chromium, which environmentalists are pushing the agency to quickly issue.

Anastas told the Oct. 6 hearing that the agency is moving forward with applying the NAS' recommendations to assessments, but pointed out that "these improvements will have a greater impact on our new assessments as opposed to those already in the pipeline."

Anastas also defended the IRIS review process, noting that assessments "are held to the highest Agency standards," receiving considerable internal and external review and comment. "These standards are among the best in the federal government and the scientific community."

OMB Review

However, Rep. Bill Cassidy (R-LA) called for increased oversight of IRIS assessments from the White House Office of Management and Budget (OMB), and advocated reinstating the OMB-led review process that was in place during the Bush Administration.

EPA Administrator Lisa Jackson reversed the Bush review process shortly after taking office, putting EPA back in the lead after the Government Accountability Office (GAO) called the IRIS program a "high risk" program due to the lengthy delays inherent in the OMB-led review process.

But Cassidy called for reinstating the OMB-led process. IRIS assessments, while not regulatory by themselves, are used to inform policy, Cassidy said, adding that he is concerned that "policy is manipulating science to achieve advocacy as opposed to truth."

"Why in the world are we basing decisions that affect a number of jobs" on questionable science, Cassidy said. "I'm struck

how sometimes processes are used to manipulate the response to the finding.”

The congressman added that cost-benefit analyses should be conducted for IRIS assessments and “I’m thinking OMB needs to be involved.”

But GAO is expected to reach the opposite conclusion in a soon-to-be-released review of the 2009 changes to IRIS. In testimony to the subcommittee, David Trimble, director of GAO's natural resources and the environment program, reiterated earlier comments that the Obama Administration's reforms “appeared to represent a significant improvement over the previous IRIS process and, if implemented effectively, with sustained management and oversight, could help EPA restore the credibility and increase the timeliness of this program.” The reforms, he said, streamlined the IRIS process, consolidating and eliminating unnecessary steps and reducing delay; established transparency; and restored control of the process to EPA, taking the management of reviews away from OMB to considerably speed up the release of assessments.

However, Trimble added, a lack of statutory deadline; ever changing science and methodologies; delays; challenges from industry, environmentalists and lawmakers; and what are becoming frequent changes to the IRIS process will continue to hamper the program. -- *Jenny Hopkinson* (jhopkinson@iwpnews.com This e-mail address is being protected from spambots. You need JavaScript enabled to view it)

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